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8 *FAITH B. KELII*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 FAITH B. KELII,

12 Plaintiff,

13 vs.

14 MONARCH RECOVERY  
15 MANAGEMENT, INC.

16 Defendant.

Case No.: 2:23-cv-01091-JCM-EJY

**STIPULATION AND REQUEST FOR  
ORDER TO EXTEND DISCOVERY  
DEADLINES**

**[THIRD REQUEST]**



1 Plaintiff FAITH B. KELII (“Plaintiff”) and Defendant MONARCH  
 2 RECOVERY MANAGEMENT, INC. (“Defendant”) (jointly the “Parties”) hereby  
 3 jointly<sup>1</sup> move to extend all deadlines set forth in the Second Stipulation and Request  
 4 for Order to Extend Discovery Deadlines filed with this Court on February 26, 2024,  
 5 (ECF No. 26) by a period of ninety (90) days pursuant to LR IA 6-1(a) and LR 26-3.  
 6 This stipulation is made in good faith and not for purposes of delay.

7 The Parties have cooperated in good faith toward meeting their discovery  
 8 obligations, including through the exchange of an initial set of discovery requests but  
 9 there have been some unforeseen medical complications that have arisen in the  
 10 aftermath. The requested extension will allow the Parties to potentially discuss  
 11 resolution as well as allow the Parties to adequate time to conduct discovery if a  
 12 resolution is not obtained. The Parties have conferred and agree that this brief  
 13 extension is the most reasonable, most economical, and least burdensome way to  
 14 proceed with discovery in this case at this moment in time.

### 15 **I. DISCOVERY COMPLETED**

16 1. A stipulated protective order was submitted to the Court on November 30,  
 17 2023.

18 2. Plaintiff submitted her initial FRCP 26.1 disclosures on November 6, 2023.

19 3. Defendant submitted its initial FRCP 26.1 disclosures on November 7, 2023.

20 4. Plaintiff has served written discovery requests and received responses  
 21 thereto. The parties are currently meeting and conferring regarding Defendant’s  
 22 responses.

23 5. Defendant has served written discovery requests and received responses  
 24 thereto. The parties are currently meeting and conferring regarding Defendant’s  
 25 responses.

26 6. Defendant has noticed the deposition of Plaintiff, but the parties are in the  
 27 \_\_\_\_\_

28 <sup>1</sup> Defendants Experian Information Solutions, Inc., Trans Union, LLC, and Equifax Information Services, Inc., do not join in this motion because they have settled with Plaintiff.

1 middle of discussing new deposition dates.

## 2 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 3 1. The depositions of the Parties and expert witnesses.
- 4 2. Additional written discovery, as necessary.
- 5 3. Expert discovery, including initial and expert disclosures.
- 6 4. The potential deposition of the original creditor via subpoena.
- 7 5. Documentary discovery in the form of document demands and subpoenas
- 8 duces tecums.
- 9 6. Any additional discovery as necessary.

## 10 **III. REASONS SUPPORTING THE REQUESTED EXTENSION**

11 The parties respectfully submit, pursuant to Local Rule 26-3, that good cause  
 12 exists for the following requested extension. This request for an extension of time is  
 13 not sought for any improper purpose or other purpose of delay. Rather, the parties  
 14 seek this extension solely for the purpose of allowing sufficient time to conduct  
 15 discovery in light of the fact that there has been some unforeseen medical  
 16 emergencies with Plaintiff's family that have complicated the timing of this matter,  
 17 and additional time is needed for the Parties to make appropriate and efficient  
 18 arrangements to alleviate the pending discovery and litigation matters.

19 No party will be prejudiced by this Court granting this Stipulation as all Parties  
 20 jointly seek an extension of these deadlines. Moreover, the Parties believe that  
 21 allowing the extension will serve the ends of judicial economy. Moreover, the  
 22 requested extensions are not sought for the purposes of delay. The Parties believe this  
 23 extension will in fact help with the discovery as well as any disagreements without  
 24 prejudicing either Party. This is the Parties' third request to extend these deadlines.

25 The Parties have been diligent and have been cooperating in good faith  
 26 between each other. A request to extend deadlines in the Court's scheduling order  
 27 must be supported by a showing of good cause for the extension. LR 26-3; *see also*  
 28 *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir. 1992). The "good

cause" inquiry focuses mostly on the movant's diligence. *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir. 2000). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609.

#### IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

<u>Event</u>	<u>Current Deadline</u>	<u><del>Proposed</del> Deadline</u>
Initial Expert	May 17, 2024	<b>August 15, 2024</b>
Rebuttal Expert	June 21, 2024	<b>September 19, 2024</b>
Discovery Cutoff	July 16, 2024	<b>October 14, 2024</b>
Dispositive Motions	August 16, 2024	<b>November 14, 2024</b>
Pretrial Order	October 8, 2024	<b>January 6, 2025</b>

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1 WHEREFORE, Plaintiff and Defendant, respectfully request this Honorable  
2 Court (1) extend discovery in the present matter as set forth above; and (2) reissue a  
3 new Scheduling Order to reflect the requested extension.  
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5 Dated: May 22, 2024

Dated: May 22, 2024

6 **KAZEROUNI LAW GROUP, APC**

**GORDON REES SCULLY  
MANSUKHANI**

8 By: /s/ Gustavo Ponce

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MONARCH RECOVERY  
MANAGEMENT, INC.

12  
13  
14 **ORDER**

15 IT IS SO ORDERED:

16   
17 UNITED STATES MAGISTRATE JUDGE

18 DATED: May 22, 2024  
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